REMARKS

Reconsideration is respectfully requested in light of the foregoing Amendment and remarks that follow.

Claims 1-11 are before the Examiner. Claims 10 has been amended to address the point raised in the Office Action. Claims 1, 2, 5, 7 and 11 have been amended to improve clarity. Claim 1 more clearly defines the shape of the weight member and requires that if a tube structure is present within the throughbore that its end, which is contemporaneous with the flat second end of the weight, is flush with that flat surface. Claims 2 and 5 have been amended to be consistent with claim 1, as amended. Note claim 5 requires the presence of the tube within the throughbore. It is no longer an optional element. Claim 7 has been amended so that it is more clearly identified as a method for manufacturing the article of manufactures described in claim 1. Claim 11 more clearly defines the shape of the weight member and indicates that a tube structure, if present, does not extend beyond the flat second end of the weight in a manner so that it is surrounded by the coil structure. Note that the optional presence of the tube member finds implicit support in paragraph 13. Its positioning so that it is flush with the flat surface and does not extend beyond that second flat surface is also found in that paragraph as well as the original claims. Also, the wire coil is indicated to be free from obstructions such as a tube member. See paragraph 5 of the specification.

A replacement drawing is enclosed wherein the tubular structure is depicted within the "throughbore" as requested. Support is found throughout the specification, especially paragraph 13.

The applicant was a professional bass fishing guide on Lake Fork for ten years and currently is a professional angler on the pro fishing circuit and owner of Lake Fork Trophy Bait & Tackle (LFTBT) and offers the following comments by way of background to aid in the understanding of the advantages possessed by the claimed invention.

LFTBT designs and manufactures soft plastic fishing lures and fishing weights for today's bass fishing market. The design concepts, as reflected in the claimed invention, enables anglers to have a competitive edge. The use of environmentally safe and non toxic tungsten puts LFTBT in a leading position in an industry changing from lead to non toxic material to accommodate states that have already banned lead. Other desirable materials, from an environmental stand point include bismuth and tin.

LFTBT's weight member is different from those exemplified in the cited patents in that the claimed weight member does not have a tube member inside the coil member. The tube member can restrict the weight from attaching to the hook. With LFTBT's design, the coil, the hook, and the artificial bait are locked together as one and not be deleteriously effected by heavy vegetation, brush piles and other thick cover known to be bass habitat. LFTBT's weight features with a grooved bottom on the weight member allows the coil member to be epoxied to the weight member. The tungsten weight and epoxied coil member can be powder painted to create a slick surface and colored to camouflage the weight.

Claim 10 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant respectfully traverses in light of the amendment to claim 10.

Claim 10 has been amended so that the claim depends on claim 7 as suggested by the Examiner.

Withdrawal of the rejection is respectfully requested.

Claims 1,2, 3, 6, 7, 8 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Pixton '175. Applicant respectfully traverses.

The teachings of Pixton '175 as characterized by the Examiner have been considered. It is noted that the Pixton weight member(s) has a tube structure that is surrounded by a coil. See, for example, figures 2-9. Further, the tube extends beyond a second flat surface and therefore is not flush with this flat second surface. Note figure 8 in particular. Further, it is not clear that the "flat" second surface is flat like that of the invention. Note the figures above.

The claims have been amended to avoid these teachings.

It appears that the reference fails to teach each and every element claimed. There is no anticipation of the claims as amended. Withdrawal of the rejection is respectfully requested.

Claims 1, 2, 3, 4, 6, 7, 8 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Strickland. Applicant respectfully traverses.

The teachings of Strickland as characterized by the Examiner have been considered. The passage at lines 1-8 of col. 4. has additionally been considered. It is noted that the Strickland weight member(s) has a tube structure that is surrounded by a coil. Note figures 3-6. Further, the tube extends beyond a second flat surface and therefore is not flush with this flat second surface. Note especially figures 4-6.

The claims have been amended to avoid these teachings.

It appears that the reference fails to teach each and every element claimed. There is no anticipation of the claims as amended. Withdrawal of the rejection is respectfully requested.

Claims 1, 2, 5, 6, 7, 9, 10 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Crumrine '655. Applicant respectfully traverses.

The teachings of Crumrine '655 as characterized by the Examiner have been considered. It is noted that as depicted in figures 1, 3 and 4 that the coil structure of Crumrine '655 does not extend beyond the "flat" second end surface. It appears from the figures that the hook is relied upon to secure the artificial bait to the weight member and not by a screwing motion associated with a coiled structure. See figures 6 and 7. (Note the connector portion of the spring 52 may be embedded in the "worm" (see col. 5 at lines 35-48)) but it is not secured to the lure by a screwing action. Further, it is clear that the second "flat" surface is not flat like that claimed-recess 44 is adapted to receive the "lure".

The claims have been amended to avoid these teachings, the coil means extends from the second end flat surface in a manner so that it engages and secures the "lure".

It appears that the reference fails to teach each and every element claimed. There is no anticipation of the claims as amended. Withdrawal of the rejection is respectfully requested.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Strickland. Applicant respectfully traverses.

The deficiencies of Strickland are noted above as to the claims as amended. A change in statutory grounds relied upon does not remedy these deficiencies.

Additionally, it is noted that no art is cited relative to a teaching of tungsten in the context of a fishing lure or weight.

It is respectfully submitted that a proper prima facie case for obviousness has not been established. The teachings relied upon are incomplete relative to the requirements of the claims. Withdrawal of the rejection is requested.

In view of the foregoing amendments and remarks, the application is believed to be in condition for allowance and a notice to that effect is respectfully requested.

Should the Examiner not find the Application to be in allowable condition or believe that a conference would be of value in expediting the prosecution of the Application, Applicants request that the Examiner telephone undersigned Counsel to discuss the case and afford Applicants an opportunity to submit any Supplemental Amendment that might advance prosecution and place the Application in allowable condition.

Respectfully submitted,

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Amendments to the Drawings:

The attached sheets of drawings include changes to Fig. 2. This sheet, which includes Figs. 1, 2 and 3, replaces the original sheet of Figs. 1, 2 and 3.

Attachment: Replacement sheet